

The Honorable Stanley A. Bastian

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

DEMETRIOS VORGIAS,

Plaintiff,

v.

COMMUNITY HEALTH OF CENTRAL
WASHINGTON,

Defendant.

Case No.: 1:21-cv-03013-SAB

**SUPPLEMENTAL DECLARATION OF
PLAINTIFF DEMETRIOS VORGIAS IN
OPPOSITION TO DEFENDANTS
SUMMARY JUDGMENT**

1 Plaintiff, DEMETRIOS VORGIAS, declares under penalty of perjury, under the
2 laws of the United States of America and the laws of the State of Washington, that the
3 following is true and correct:

4 1. I am over the age of 18 years and am a citizen of the United States. I have
5 personal knowledge of the facts set forth in this declaration, and am competent to testify
6 to them at trial. I have agreed to voluntarily provide the following sworn statement to
7 accurately record the event that I experienced during my employment with defendant
8 Community Health of Central Washington “CHCW” in Yakima, Washington from June
9 25, 2018 and ending May 1, 2019.

10
11 2. Defendants again state that my claim should be dismissed because
12 “employers do not need to provide accommodations for undisclosed...disabilities” ECF
13 No. 38, p.11. This claim by CHCW is invalid and totally in violation of the Accreditation
14 Council for Graduate Medical Education (“ACGME”) requirements that Defendants
15 MUST “...educate faculty members and residents/fellows in identification of the
16 symptoms of burnout, depression, and substance abuse, including means to assist those
17 who experience these conditions..”. In or around October 2018, Dr. Vorgias told me had
18 ADHD and that he was struggling...”. Dr. Hill was one of my attendings and I disclosed
19 the fact that I had ADHD to her and that I was struggling-she admits this. Again
20 according to ACGME, Dr Hill MUST report my struggling to the Program Director, Dr
21 Power who has the affirmative duty to provide accommodations for the “conditions”.
22 Attached are true and correct excerpts of the ACGME Common Program Requirements
23 describing the responsibility of faculty members. Ex. 19A

24 3. Defendants knew that I had an underlying medical condition that was
25 hindering my success. They had a responsibility to address it with me and failed to do so.

26 • The Accreditation Council for Graduate Medical Education (ACGME)
27 provides succinct requirement regarding the affirmative duty of attending physicians to
28 look for GAD, depression, and ADHD and alert the Program Director of the concerns. ,

1 and “must encourage residents/fellows and Faculty members to alert their program
2 director, DIO, or other designated personnel or programs when they are concerned that
3 another resident/fellow or faculty member may be displaying signs of burnout,
4 depression, substance abuse, suicidal ideation, or potential violence” and must provide
5 access too appropriate tools for self screening “ and “must provide access to confidential,
6 affordable mental health , assessment, counseling, and treatment, including access to
7 urgent and emergent care 24 hours a day, seven days a week”. See Section III.B.7.c).(1) to
8 III.B.7.c).(3) of Ex 19A. Furthermore, resident doctors should not “self-diagnose.” This
9 is especially true when you are in a residency program and just learning how to practice
10 medicine. Residents should be properly supervised and guided as they learn. I did seek
11 help to accomplish this.

12 I declare under penalty of perjury, under the laws of the United States of America
13 and the laws of the State of Washington, that the foregoing is true and correct.

14
15 **DATED** this 22nd day of December, 2021, at Iuka, Mississippi.

16
17 s/Demetrios Vorgias, M.D.
18 DR. DEMETRIOS VORGAS

CERTIFICATE OF SERVICE

I hereby certify that on December 22nd, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED at Yakima, Washington, this 22nd day of December, 2021.

By: s/ William D. Pickett
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